

IN THE DISTRICT COURT OF PAYNE COUNTY
STATE OF OKLAHOMA

TYLON VAUGHN MACKEY,)
)
Plaintiff,)
VS.) NO. CJ-2020-233
ISRAEL JUAREZ and)
ORD TRUCKING,)
Defendants.)



VIDEO DEPOSITION OF ISRAEL JUAREZ

TAKEN ON BEHALF OF THE PLAINTIFF

IN OKLAHOMA CITY, OKLAHOMA

ON JULY 29, 2021

REPORTED BY MARY E. (LIZ) WAGGONER CSR #00393

EXHIBIT 6

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1 record, your intended destination was you were going
2 to turn left, which would have been west from that
3 stop sign onto State Highway 51. And then you were
4 going to head north at some point to go to an empty
5 field to dump your load?

6 A. Yes.

7 Q. Okay. When you go to that empty field to
8 dump your load, is that owned by anybody?

9 A. I don't know that.

10 Q. When you go to that empty field to dump your
11 load, is it a landfill?

12 A. Sometimes it was a road they was building.
13 They was building a road higher. And sometimes it was
14 just like an empty -- empty lot.

15 Q. Okay. Who had told you that that is where
16 you're supposed to go dump your load at?

17 A. The supervisor.

18 Q. And who was the supervisor?

19 A. Oh, I don't know. I don't.

20 Q. Do you know who the supervisor worked for?

21 A. Silver Star.

22 Q. Silver Star?

23 A. (Witness nods head)

24 Q. Is that the general contractor?

25 A. I don't know.

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1 Q. And that was what you were doing up and to
2 the point where you were stopped at the stop sign at
3 Murphy and State Highway 51?

4 A. Yes.

5 Q. So let's go back a little bit. When you say
6 they would pick you up, who would pick you up?

7 A. Well, a guy that works there, too.

8 Q. Was that Fredy Valle?

9 A. No. It was -- it was another guy that works
10 there. I mean, that works in the same place.

11 Q. The guy that picked you up that you were
12 referencing, did he work for ORD?

13 A. No.

14 Q. He was working for somebody else at the same
15 place?

16 A. Well, yeah. I think for, what's his name you
17 say? For that guy you said.

18 Q. Fred Valle?

19 A. Yes.

20 Q. Do you know who Fred Valle is?

21 A. No.

22 Q. So that name doesn't ring a bell to you?

23 A. No.

24 Q. Does Valle trucking ring a bell to you?

25 A. No.

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1 A. Yes.

2 Q. Okay. How would you and Premo communicate as
3 far as timing on picking you up?

4 A. Oh, I already knew I have to be there.

5 Q. So it was a set time he would always come
6 pick you up?

7 A. Yeah.

8 Q. Okay. Do you have Premo's phone number by
9 chance?

10 A. No.

11 Q. Okay. Who told you that Premo was the one
12 that was going to come pick you up?

13 A. Jesus.

14 Q. Okay. And when Jesus told you about this job
15 what did he tell you?

16 A. He said they was going to go pick me up at a
17 certain time and then I was -- the truck was going to
18 leave over there at the job site.

19 Q. Do you know how that truck was already at the
20 job site?

21 A. Yeah. I took it.

22 Q. Oh. So you had previously driven ORD's truck
23 up to that job site?

24 A. Yes.

25 Q. When did that happen?

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1 to go, what to start.

2 Q. And when they're telling you when to start,
3 what to do, where to go, who is telling you that?

4 A. The people from Silver Star.

5 Q. Okay. And how would they tell you that?

6 Would they tell you over a CB radio, text message?

7 How would you get that information?

8 A. No. They usually -- they usually have a guy
9 telling us.

10 Q. And if you can recall, how would they tell
11 you to begin your job? What would they say to you?

12 A. We fixing to get ready to get loaded.

13 Q. And would they have you guys line up in a
14 certain order? How would you guys line up to get your
15 hauls to get removed?

16 A. Yeah, you line up. Everybody lines up and
17 start getting loaded.

18 Q. Would Silver Star or whoever it was that told
19 you how to do your job, do they tell you how to line
20 up as well?

21 A. Sometimes they do.

22 Q. Okay. And I'm ignorant to this whole
23 industry. So you have to explain it to me and to the
24 jury.

25 When you -- strike that.

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1 I imagine you would get like a, for lack of a
2 better phrase, a congo line of trucks?

3 A. Uh-huh.

4 Q. And there would be a loader at the front of
5 it; is that correct?

6 A. Yes.

7 Q. And who was telling the loader when to start
8 the machine or not; do you know?

9 A. No.

10 Q. Okay. That Silver Star person that would
11 tell you to start your job, would they be the
12 supervisor for that day for the whole site?

13 A. No, because the guy that is loading is one
14 person and the supervisor is another person and
15 sometimes the guy that tells us to do things is
16 another person. So --

17 Q. Are they all employees of Silver Star to your
18 knowledge?

19 A. Yes.

20 Q. Okay. The guy operating the loader, would he
21 be an employee of Silver Star as well?

22 A. Yes, I think so.

23 Q. Okay. Do you happen to know anybody's name
24 that would have been on the job site at any point in
25 time?

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1 A. No.

2 Q. Okay. Besides Premo, do you know anybody
3 else at Valle Trucking?

4 A. No. It's just so many different guys,
5 different trucks.

6 Q. Do you know the name of any other dump truck
7 companies that were out there besides Valle Trucking
8 and ORD Trucking?

9 A. I can't remember. It's just like different
10 trucks, different days. Like one day, maybe Ordones
11 truck. Next day, maybe Valle truck. Next day, it's
12 just different trucks.

13 Q. I'm understanding it.

14 So how would you get paid from your work on
15 that job site?

16 A. ORD.

17 Q. So ORD, would they pay you check or cash?

18 A. Check.

19 Q. Okay. Do you know, if you do, who paid ORD
20 Trucking for that work?

21 A. No, I don't know.

22 Q. And when ORD Trucking paid you in a check --

23 A. Uh-huh.

24 Q. -- did they pay you as an employee or an
25 independent contractor?